

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Site: Redley
Date: 10-7-85
Status: Confidential

DATE: May 24, 1985

SUBJECT: Regional Administrator's Briefing on the Cherokee County (SC) Sites

FROM: Director, Waste Management Division

TO: Jack E. Ravan, Regional Administrator

CONFIDENTIALBACKGROUND

EPA is currently investigating four sites in Gaffney, Cherokee County, SC; 1) Medley/Burnt Gin Site, 2) Poole/High Point Site, 3) Atkins/McAbee, and 4) Love Springs Site. An immediate removal was conducted at the Medley/Burnt Gin Site in June and July, 1983. The State of South Carolina subsequently requested EPA to conduct a criminal investigation of the Medley Site in 1984. The criminal investigation revealed that all four sites may have been operated by Mr. Clyde Medley, a District Highway Commissioner. All the evidence uncovered was considered too circumstantial for criminal prosecution. The Love Springs Site, owned by Mrs. Wade Weatherford, Jr., was permitted by the State for disposal of latex waste in 1976. SCDHEC ordered the facility closed in August, 1976 for operational problems.

NPL

None of the four sites is on the NPL. The Medley, Poole, and Atkins Sites were ranked by EPA in April, 1985 with a score of 28.84. Currently, HQ is deciding on whether they can all be scored as one site (Section 104(d)(4)). However, the Medley Site may rank alone based on new information obtained from SCDHEC pertaining to potentially affected residential wells.

INVESTIGATIONS

104 Request for Information letters were sent to Clyde Medley concerning the Medley site, and Wade Weatherford, Jr. requesting any information that he had on any of the sites in 12/84 and 5/85 respectively. Clyde Medley denied that he was bound by the request, but did provide some information regarding his involvement at the site. He refused to provide any further information. By response dated May 16, 1985, Wade Weatherford Jr. was extremely uncooperative and refused to answer any questions. He is conducting a media campaign charging EPA with fraud and threatening to sue SCDHEC.

ENFORCEMENT

A Section 107 Action will be referred to Headquarters this quarter for recovery of the \$600K expended by EPA during the removal action at the Medley Site. Clyde Medley and other companies identified by the responsible party search are named. To respond to the parties' denial of EPA's investigatory authority under 104 of CERCLA and 3007 of RCRA, EPA could 1) Issue 3008 Orders to Medley and Weatherford which could include penalties of up to \$25,000/day for each day of continued noncompliance; or 2) Issue a 3008 Order to Medley and a reminder letter to Weatherford.

